

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1674

IN THE MATTER OF:

Served April 21, 1977

Order to Show Cause Directed to )  
the BALTIMORE AND ANNAPOLIS )  
RAILROAD COMPANY )

Docket No. 334

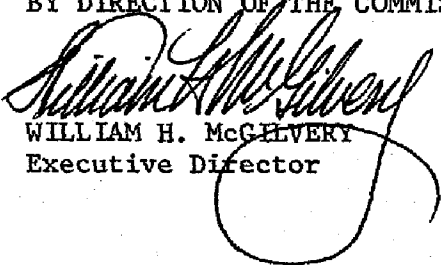
By motion filed April 12, 1977, respondent Baltimore and Annapolis Railroad Company (B & A) urges that Commission Order Nos. 1662 and 1664, incorporated by reference herein, be vacated and set aside and that the public hearing scheduled in the above-captioned matter be cancelled.

In support of its motion B & A contends (a) that the above-referenced orders fail to comply with the provisions of Rule 12-02 of the Commission's Rules of Practice and Procedure, and (b) that certain other carriers must be joined as necessary parties to this action.

Inasmuch as (1) the above-referenced orders specifically refer to the matters raised and alleged in Washington Metropolitan Area Transit Commission v. Baltimore and Annapolis Railroad Company, C.A. No. 76-1690; (2) the parties sought to be joined need not be before the Commission for proper resolution of the matters under investigation herein; (3) Rule 12-04 of the Commission's Rules of Practice and Procedure provides, as pertinent, that "Nothing in this Rule 12 . . . shall be construed to limit or impair the power of the Commission to undertake and conduct investigations for any statutory purpose . . ."; and (4) no proper and sufficient cause has been shown for granting any of the relief sought;

IT IS ORDERED that the said motion of Baltimore and Annapolis Railroad Company be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director